

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
June 3, 2003, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
 - Invocation
 - Pledge of Allegiance
 - Approve the minutes of the previous meeting
-

AWARDS AND PRESENTATIONS

- Proclamations
-

UNFINISHED BUSINESS

1. Hydrobiological Monitoring Plan.
(Continued from May 20, 2003)

RECOMMENDED ACTION: Approve the Contract; authorize the necessary signatures.

NEW BUSINESS

2. Petition to Pave 26th Street North, West of Madison. (District I)

The improvement district consists of a portion of Power CDC Third Addition, residential property owned by the City, and several non-City owned homes. The City owned properties represents 90.4% of the improvement district area.

RECOMMENDED ACTION: Approve the Petition; adopt the Resolution.

3. Redemption of Recreational Facilities Revenue Bonds – YMCA. (Districts I & IV)

The YMCA is requesting approval of an early call of a portion of Recreational Facilities Revenue Bonds issued by the City.

RECOMMENDED ACTIONS: Adopt the Resolution authorizing early redemption of a portion of the Series 1998 Bonds and ratifying the notice and instructions given by the Tenant.

4. Fireworks Policy.

The Fireworks Task Force, appointed by the Council on March 4, 2003, recommendations are presented for consideration.

RECOMMENDED ACTION: Consider the fireworks recommendations; take appropriate action.

5. Cellular Telephone Allowance Program.

The Mayor has requested a review and consideration of replacing the use of City cellular telephones with an allowance program. City IT/IS staff has developed a proposed tiered allowance program tailored to three levels of users:

RECOMMENDED ACTION: Approve the cellular telephone allowance program.

6. Change Order for CityArts Building.

The City Council has previously approved the construction of a new CityArts building in Old Town. An opportunity has arisen to add a roof top event space for special events and rentals for large gatherings.

RECOMMENDED ACTION: Approve the Change Order; adopt the bonding Resolution.

CITY COUNCIL AGENDA

7. Approval of Travel Expenses for Mayor to Attend League of Kansas Municipalities Governing Body Meeting in Dodge City, June 12-13, 2003

RECOMMENDED ACTION: Approve the expenditures.

8. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

9. Report of the Board of Bids and Contracts Dated June 2, 2003.

RECOMMENDED ACTION: Receive and file report; approve Contracts; authorize necessary signatures.

10. Application for Licenses for Adult Entertainment Establishments/Services:

New Escort Service

Sharla Elmore Millineum Entertainment 2415 South Glendale

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

11. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2003</u>	<u>(Consumption on Premises)</u>
Juvenal G. Fernandez	La Mexicana Restaurant*	408 West 21 st Street
<u>Renewal</u>	<u>2003</u>	<u>(Consumption off Premises)</u>
Kulwinders Jaswall	Jaswall LLC	2700 North Amidon
	dba Petro American Quick Mart	
Loan H. Le	KC Gas & Groceries #1	1102 West Maple
Saced Mansouri	A.M. Conoco	12728 East Central
Mark Branham	Quiktrip #313	3164 South Hillside
Mark Branham	Quiktrip #320	1021 West 31 st Street South
Mark Branham	Quiktrip #321	6011 West Central
Mark Branham	Quiktrip #325	1414 North Oliver
Mark Branham	Quiktrip #326	2010 South Broadway
Mark Branham	Quiktrip #328	2801 South Hydraulic
Mark Branham	Quiktrip #329	5602 East Harry
Mark Branham	Quiktrip #343	242 South Tyler
Mark Branham	Quiktrip #345	4020 South Meridian
Mark Branham	Quiktrip #347	1532 South Seneca
Mark Branham	Quiktrip #349	1112 West Douglas
Mark Branham	Quiktrip #353	110 South Rock Road
Mark Branham	Quiktrip #356	4808 South Hydraulic
Mark Branham	Quiktrip #358	7120 West 21 st Street North
Mark Branham	Quiktrip #360	3933 West 13 th Street
Mark Branham	Quiktrip #366	1620 South Webb Road
Mark Branham	Quiktrip #368	626 West 21 st Street North
Mark Branham	Quiktrip #369	3216 East Harry
Mark Branham	Quiktrip #372	3106 East Pawnee
Mark Branham	Quiktrip #373	1610 East Lincoln
Mark Branham	Quiktrip #374	10315 West 13 th Street
Mark Branham	Quiktrip #376	2106 South Rock Road
Mark Branham	Quiktrip #378	5611 South Broadway
Mark Branham	Quiktrip #383	11223 East Central
Mark Branham	Quiktrip #384	2510 West Pawnee
Mark Branham	Quiktrip #386	1010 East Douglas Avenue
Mark Branham	Quiktrip #388	7991 East 37 th Street North
Mark Branham	Quiktrip #389	4730 East Central
Mark Branham	Quiktrip #391	730 North Broadway
Mark Branham	Quiktrip #396	333 South West Street

(Item 11 continued)

<u>New Establishment</u>	<u>2003</u>	<u>(Consumption off Premises)</u>
Sean Huynh	Kimson Asian Food Market	960 East Pawnee

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

12. Preliminary Estimates:

- a) Lateral 345 Four Mile Creek Sewer to serve Woodland Lakes Third Addition - north of Harry, west of 127th Street East. (468-83588/743986/480674) Does not affect existing traffic. (District II) - \$438,000
- b) Lateral 320 Four Mile Creek Sewer to serve Brentwood South Addition - north of Pawnee, east of Webb. (468-83354/743981/480669) Does not affect existing traffic. (District II) - \$100,000
- c) Storm Water Sewer #580 to serve Southern Ridge Addition - south of Pawnee, west of Maize. (468-83551/751325/485216) Does not affect existing traffic. (District V) - \$304,000
- d) Water distribution system to serve Brentwood South Addition - north of Pawnee, east of Webb. (448-89636/735121/470791) Does not affect existing traffic. (District II) - \$67,000
- e) Forestview from the north line of the plat, south to the north line of Lot 43, Block A; Forestview Court (Lots 5 through 18, Block A) from the west line of Forestview, west to and including the cul-de-sac; on Forestview Court (Lots 19 through 32, Block A) from the west line of Forestview, west to and including the cul-de-sac; Forestview Court (Lots 33 through 43, Block A) from the west line of Forestview, west to and including the cul-de-sac; Sidewalk on one side of Forestview to serve Liberty Park Addition - south of 13th Street North, east of 135th Street West. (472-83653/765768/490879) Does not affect existing traffic. (District V) - \$314,000
- f) Storm Water Drain #192 to serve Tara Falls Addition - south of Harry, east of Greenwich. (468-83527/751328/485219) Does not affect existing traffic. (District II) - \$246,000
- g) Hillside improvement, between 17th Street and 21st Street (472-83537/706842/202308) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$1,980,000
- h) Aksarben from the north line of the plat, south to the north line of Ponderosa; on Ponderosa from the west line of Aksarben, east to the east line of the plat; Aksarben Court (Lots 1 through 6, Block A) from the west line of Aksarben, west to and including the cul-de-sac; on Aksarben Court (Lots 7 through 14, Block A) from the west line of Aksarben, west to and including the cul-de-sac; on Aksarben Court (Lots 1 through 10, Block D) from the east line of Aksarben, east to and including the cul-de-sac; on Aksarben Court (Lots 11 through 24, Block D) from the east line of Aksarben, east to and including the cul-de-sac; and on Ponderosa Court, from the north line of Ponderosa, north to and including the cul-de-sac; Sidewalk on one side of Aksarben and Ponderosa to serve Copper Gate Estates - south of 13th Street North, west of 135th Street West. (472-83669/765769/490880) Does not affect existing traffic. (District V) - \$384,000
- i) (Amended) - cost of Lateral 339, Four Mile Creek Sewer to serve The Executive at White Tail Addition - south of 13th Street North, east of K-96. (468-83523/743973/480-661) (District II) – Total Estimated Cost \$25,070

RECOMMENDED ACTION: Approve and file.

13. Statements of Cost:

- a) Improving NE Soccer and Baseball Complex. Total Cost - \$1,199,392.00 (less idle fund interest - \$13,911.00; plus temporary financing - \$4,875.00; less financing previously issued - \$1,183,006). Financing to be issued at this time - \$7,350,000. (785001/390-132).
- b) 2001 Park Land Acquisition and Development. Total Cost- \$244,389.00 (plus idle fund interest - \$3,271.00 plus temporary financing - \$2,667.00; less financing previously issued - \$250,000). Financing to be issued at this time - \$327. (785019/391-151).
- c) Meadow Park Improvements. Total Cost - \$30,000. (plus idle fund interest - \$493.00; less financing previously issued - \$23,000). Financing to be issued at this time - \$7,493.00. (785022/391-154).
- d) Lawrence Dumont Stadium. Total Cost - \$3,375,348.53. (plus idle fund interest - \$38,745.05; plus temporary financing - \$35,378.42; less other financing - \$3,255,042). Financing to be issued at this time \$194,430. (792051/358-234).
- e) (Amended) Improving 37th Street North from the east line of Ridge Road, east to the easterly most drive serving Lot 1 to serve Ridge Port North Addition - south of 37th Street North, east of Ridge. Total Cost - \$104,837.12 (plus idle fund interest - \$1,619.13, plus temporary note interest - \$768.75). Financing to be issued at this time - \$107,225.00. (765689/472-83114/490-800).
- f) (Fifth Partial) Estimate of Cost for Performance Contracting - \$2,565,000; less financing previously issued - \$2,365,000. Financing to be issued at this time - \$200,000. (792338/N.A./435-308).
- g) (First Partial) Estimate of Cost for N.E. Baseball Complex - \$30,000; less financing previously issued - \$0. Financing to be issued at this time - \$30,000. (792352/435-322).
- h) (First Partial) Estimate of Cost for CMF Expansion - \$100,000; less financing previously issued - \$0. Financing to be issued at this time - \$100,000. (792369/435-339).
- i) (Second Partial) Estimate of Cost for the South Regional Library - \$3,465,000; less financing previously issued - \$3,015,000.. Financing to be issued at this time - \$450,000. (792372/435-342).
- j) (First Partial) Estimate of Cost for City Hall Fire Alarm Upgrade - \$225,000; less financing previously issued - \$0. Financing to be issued at this time - \$225,000. (792373/435-343).
- k) (Second Partial) Estimate of Cost for the North Regional Library - \$420,000; less financing previously issued - \$220,000. Financing to be issued at this time - \$200,000. (792374/435-344).
- l) (Second Partial) Estimate of Cost for Fire Equipment Replacement - \$3,183,396; less financing previously issued - \$111,479. Financing to be issued at this time - \$3,071,917. (792377/435-347).
- m) (First Partial) Estimate of Cost for Homeland Defense Readiness Center - \$277,000; less financing previously issued - \$0. Financing to be issued at this time - \$277,000. (792379/435-349).
- n) (First Partial) Estimate of Cost for Fire Station Relocation - \$50,000; less financing previously issued - \$0. Financing to be issued at this time - \$50,000. (792389/435-359).
- o) (Third Partial) Estimate of Cost for the Central Riverside Park - \$2,362,000; less financing previously issued - \$362,000. Financing to be issued at this time - \$2,000,000. (785016/390-148).

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- p) (First Partial) Estimate of Cost for 2002 Park Lighting - \$10,000; less financing previously issued - \$0. Financing to be issued at this time - \$10,000. (785026/392-158).
- q) (First Partial) Estimate of Cost for Garvey Park - \$15,000; less financing previously issued - \$0. Financing to be issued at this time - \$15,000. (785899/399-121).
- r) (Second Partial) Estimate of Cost for Kellogg/Tyler Freeway Improvements - \$32,488,825; less financing previously issued - \$18,000,000. Financing to be issued at this time - \$14,488,825. (700906/400-200).
- s) (Second Partial) Estimate of Cost for Kellogg/Woodlawn Freeway Improvements - \$8,661,175; less financing previously issued - \$8,400,000. Financing to be issued at this time - \$261,175 (700773/401-212).
- t) (Second Partial) Estimate of Cost for Kellogg/Rock Road Freeway Improvements - \$33,550,000; less financing previously issued - \$3,300,000. Financing to be issued at this time - \$30,250,000. (700757/401-311).

RECOMMENDED ACTION: Approve and file.

14. Deeds/Easements:

- a) Sanitary Sewer Easement and Agreement from Sedgwick County for a tract of land in Lot 2, Block A, Sedgwick County Zoo Second Addition, Sedgwick County, Kansas (Basin 4 Force Main, OCA #743990). No cost to City.

RECOMMENDED ACTION: Receive and file; authorize necessary signatures.

15. Petitions for Public Improvements:

- a) Water distribution system to serve Southern Ridge Addition - south of Pawnee, west of Maize. (District V)
- b) Sanitary sewer to serve Tyler's Landing Addition – south of 37th Street North, east of Tyler. (District V)
- c) Street paving and water distribution system to serve Friends University Third Addition – north of Kellogg, east of Meridian. (District IV)
- d) Street paving, sanitary sewer, and water distribution system to serve Shelly's Orchard Addition – east of Maize, north of Pawnee. (District V)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

16. Minutes of the Advisory Boards & Commissions

District III Advisory Board, January 8, February 5, March 5, March 19, April 2, and May 7, 2003
Alternative Correctional Housing Advisory Board, February 27, 2003
District VI Advisory Board, March 3, April 7, and April 16, 2003
Wichita Public Building Commission Board, March 12, 2003
Wichita Employees' Retirement System, March 19, 2003

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Housing Advisory Board, March 25, 2003
Police & Fire Retirement Board, March 26, 2003
Wichita Airport Advisory Board, April 7, 2003
Board of Park Commissioners, April 14, 2003
Wichita Public Library Board, April 15, 2003
Board of Park Commissioners, May 12, 2003

RECOMMENDED ACTION: Receive and file.

17. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

18. Agreements/Contracts:

- a) Respread assessments – Chapel Hill Second Addition – north of 13th Street North, east of Greenwich. (District II)
- b) Structural inventory and appraisal of 244 bridges.
- c) Groundwater remediation compliance. (District VI)
- d) Spring Branch Master Drainage Plan. (District II)
- e) Construction engineering and staking for Fossil Rim Estates Addition – east of Tyler, south of 29th Street North - supplemental. (District V)
- f) Construction engineering and staking for Remington Place Addition – east of Webb, south of 21^s – supplemental. (District II)
- g) Construction engineering and staking for Sierra Hills and Equestrian Estates Additions – east of 127th Street East, north of Pawnee. (District II)
- h) Seneca from Texas to McLean - supplemental. (District IV)
- i) Respread assessments – Hanley Commercial Addition – Webb from Central to 29th Street North. (District II)
- j) Water Treatment Plant taste and odor control.
- k) Easement encroachment – Greep. (District VI)
- l) Water Master Plan.
- m) Air Quality Program Grants renewal.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

19. Design Services Agreements:

- a) 2003 arterial street and waterline replacement. (Districts I, II, V, and VI)
- b) Shadow Woods Addition – west of 135th Street West, north of Maple. (District V)
- c) Sierra Hills Addition – east of 127th Street East, north of Pawnee. (District II)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

20. Change Orders:

- a) Art Museum Modification/Expansion Project. (District VI)
- b) Sewage Treatment Plant No. 2.

RECOMMENDED ACTION: Approve Change Orders; authorize necessary signatures.

21. COPS Homeland Security Overtime Program Grant.

RECOMMENDED ACTION: Approve the grant application and receipt of funds; authorize the necessary signatures.

22. Grant Amendment – 2002 Shelter Plus Care Housing Choice Voucher Renewal Program.

RECOMMENDED ACTION: Approve the Grant Agreement amendment; authorize necessary signatures.

23. Grant Application – Local Environmental Protection Program Target Grant Funding.

RECOMMENDED ACTION: Approve the Grant application and receipt of funds; authorize the necessary signatures.

24. Anti-Litter/Nuisance Educational Program.

RECOMMENDED ACTION: Approve continuation of program and vendor.

25. Public Exigency Project – Sanitary Sewer Repairs.

RECOMMENDED ACTION: Affirm the approval.

26. Applications for Water and Sewer Service Outside the Corporate Limits.

RECOMMENDED ACTION: Approve the applications; authorize the necessary signatures.

27. Property Acquisition:

- a) 7500 East Kellogg. (District II)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

28. Sale of Surplus Property:

- a) Remnant near northwest corner of Greenwich Road and Kellogg Drive. (District II)

RECOMMENDED ACTION: Approve sale and Contracts; authorize necessary signatures.

29. Repair or Removal of Dangerous and Unsafe Structures.

	<u>Address</u>	<u>District</u>
a)	3028 East Maplewood	I
b)	2215 North Kansas	I
c)	2632 North Hillside	I

RECOMMENDED ACTION: Adopt Resolution (s) setting the Public Hearing on < at 11:00 a.m.

30. Second Reading Ordinances: (First read May 20, 2003)

- a) DR2001-03 – McAdams Neighborhood Revitalization Plan – south of 17th Street, west of Hydraulic, north of Central, east of Mosley. (District I)

An Ordinance adopting the McAdams Neighborhood Revitalization Plan as an amendment to the Wichita-Sedgwick County Comprehensive Plan.

- b) Agreement for design services - 2003 arterial street, bridge, and waterline replacement. (Districts II, III, V, and VI)
1. An Ordinance declaring 29th Street North, from ½ mile east of Ridge to West Street (472-83753) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.
 2. An Ordinance declaring 29th Street North, from Tyler to Ridge (472-83751) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.

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3. An Ordinance declaring the Central Avenue Bridge at Gypsum Creek (472-83748) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.
 4. An Ordinance declaring the Oliver Street Bridge at Gypsum Creek (472-83746) to be a main trafficway within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.
- c) ZON2003-00014 – north of Sunnybrook, east of Rutan. (District III)

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick county unified zoning code, section v-c, as adopted by section 28.04.010, as amended.

RECOMMENDED ACTION: Adopt Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

* Consent Items

*31. Vacations:

- a) VAC2003-00005 – Platted alley right-of-way – between Market and Main, and Pine and Murdock streets – Munger's Original Town Addition. (District II)
- b) VAC2003-00008 – Platted 30-foot setback – northeast of the 31st Street North/Amidon Avenue intersections – 3225 Coolidge. (District VI)
- c) VAC2003-00010 – Platted drainage/utility easement – southwest of the Kellogg/Woodlawn intersection. (District II)
- d) VAC2003-00011 – Access easement dedicated by separate instrument – southeast of Murdock and Market. (District I)
- e) VAC2003-00013 – Platted utility easement – east of Broadway, north of 50th Street south. (District III)
- f) VAC2003-00014 – Platted easement – northwest of the West Street/Pawnee/K-42 intersection. (District IV)

RECOMMENDED ACTION: Approve vacations; authorize the necessary signatures.

- *32. SUB2000-65 – Plat of Woods Edge Addition – North of Central, West Side of 119th Street West. (District V)

RECOMMENDED ACTION: Approve the document and Plat; authorize the necessary signatures.

- *33. SUB2002-35 – Plat of Chang and Arensberg Second Addition – South Side of Kellogg, East of Hillside. \ (District III)

RECOMMENDED ACTION: Approve the documents and Plat; authorize the necessary signatures; adopt the Resolutions; and approve first reading of ZON2002-12 Ordinance.

- *34. SUB2002-132 – Plat of Grace Park Addition – North of Harry, East of Greenwich Road. (District II)

RECOMMENDED ACTION: Approve the documents and Plat; authorize the necessary signatures; adopt the Resolutions.

- *35. SUB2003-13 – Plat of Power CDC Third Addition – North Side of 26th Street North, West of Grove. (District I)

RECOMMENDED ACTION: Approve the documents and Plat; authorize the necessary signatures; adopt the Resolutions.

- *36. SUB2003-21 – Plat of Auburn Hills 14th Addition – West of 135th Street West, South of Maple. (District V)

RECOMMENDED ACTION: Approve the documents and Plat; authorize the necessary signatures.

- *37. SUB2003-26 – Plat of Northlakes Commercial Addition – South Side of 53rd Street North, West of Meridian.

RECOMMENDED ACTION: Approve the documents and Plat; authorize the necessary signatures; adopt the Resolutions.

- *38. ZON2003-00021 – Zone Change from Multi-Family Residential to General Commercial – Southwest of the Market/Murdock Intersection. (District VI)

RECOMMENDED ACTION: Approve the Zone Change and first reading of the Ordinance.

- *39. CUP2003-15 (Associated with ZON2003-16) – Create DP264 Louis Development Community Unit Plan and Zone Change from Single-Family Residential to Limited Commercial – North of 13th North, East of 135th Street West. (District V)

RECOMMENDED ACTION: Approve the zone change and C.U.P., subject to platting within one-year and the recommended conditions; Ordinance to be forwarded with the Plat to City Council.

- *40. A03-13 – Annex Land Located Adjacent and North of 29th Street North, East of North Maize Road; and Segments on 29th and 37th Streets North. (District V)

RECOMMENDED ACTION: Approve the annexation and first reading
of the Ordinance.

Adjournment
